

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

RUBY FREEMAN and WANDREA' MOSS,

Plaintiffs,

v.

No. 24-mc-353 (LJL)

RUDOLPH W. GIULIANI,

Defendant.

**DECLARATION OF AARON E. NATHAN INFORMING COURT OF
ADDITIONAL EVIDENCE TO BE RELIED UPON BY PLAINTIFFS-RECEIVERS
IN SUPPORT OF THE ORDER TO SHOW CAUSE, ECF NO. 175.**

I, Aaron E. Nathan, hereby declare as follows pursuant to 28 U.S.C. § 1746:

1. I am counsel to Plaintiffs Ruby Freeman and Wandrea' Moss ("Plaintiffs" or "Plaintiffs-Recipients") in the above-captioned actions.

2. I submit this declaration in response to the Court's December 19, 2024 Order requesting that Plaintiffs, with respect to the Order to Show Cause, ECF No. 175, "inform the Court by Monday, December 23, 2024, of any evidence or testimony upon which they intend to rely aside from the declarations and attached exhibits that were submitted with their motion." ECF No. 177.

3. In addition to those submissions, Plaintiffs also may rely on the following documents filed in this action:

a. Plaintiffs' Motion to Enforce Judgment, ECF Nos. 8, 9, and the Declaration of Aaron E. Nathan in support of Plaintiffs' Motion to Enforce Judgment, along with exhibits attached thereto, ECF Nos. 10, 10-1-10-16;

- b. Plaintiffs' October 1, 2024 Letter to the Court regarding supplemental authority in support of Plaintiffs' Motion to Enforce Judgment, and the exhibit attached thereto, ECF Nos. 35–35-1.
- c. Plaintiffs' Reply in Support of Plaintiffs' Motion and Objection Regarding Claim Exemption as to Funds Held at Parkside Financial Bank and Trust, and the Declaration of M. Annie Houghton-Larsen in support of that Reply, along with the exhibits attached thereto, ECF Nos. 50, 51–51-8.
- d. Plaintiffs' Reply to the Motion to Enforce Judgment, ECF No. 59;
- e. The Court's October 22, 2024 Order granting Plaintiffs' Motion to Enforce Judgment, ECF No. 62 (the "Turnover Order");
- f. Mr. Giuliani's October 29, 2024 Letter to the Court, ECF No. 68
- g. Plaintiffs' October 30, 2024 Letter to the Court providing a status update on turnover efforts, ECF No. 73;
- h. Plaintiffs' November 4, 2024 Letter to the Court providing a status update on turnover efforts, and exhibits attached thereto, ECF Nos. 81–81-1;
- i. Plaintiffs' November 5, 2024 Letter to the Court providing a status update on turnover efforts, and exhibits attached thereto, ECF Nos. 85–85-3;
- j. Mr. Giuliani's Letter to the Court responding to Plaintiffs' November 5, 2024 status update, ECF No. 88;
- k. Plaintiffs' November 6, 2024 Letter to the Court providing a status update on turnover efforts and in response to Mr. Giuliani's November 5, 2024 letter, ECF No. 91;
- l. The Court's November 8, 2024 Order, ECF No. 94 (the "Instructions Order");

- m. Plaintiffs' November 13, 2024 Letter to the Court providing a status update concerning the Modification of Turnover Instructions, and exhibits attached thereto, ECF Nos. 106–106-3;
 - n. Plaintiffs' November 22, 2024 Letter to the Court concerning the Modification of Turnover Instructions, ECF No. 147; and
 - o. The Court's November 22, 2024 Order, ECF No. 148 (the "Modified Instructions Order").
4. In addition, Plaintiffs submit the following additional exhibits that they may rely on in support of the Order to Show Cause:
- a. Attached as **Exhibit 1** is a true and correct copy of the Job Summary Inventory List created by employees at the Plaintiffs-Receiver's storage facility in Richmond Hill, NY ("Plaintiffs-Receiver's Facility"), which shows a list of items delivered by Mr. Giuliani to the Plaintiffs-Receiver's Facility on December 13, 2024. The name and address of Plaintiffs-Receiver's Facility is redacted.
 - b. Attached as **Exhibit 2** is a true and correct copy of a delivery list purportedly created and modified by Corporate Storage and Transfer ("CTS"), that purportedly shows the list of items delivered by Mr. Giuliani to Plaintiffs-Receiver's Facility on December 13, 2024.
 - c. Attached as **Exhibit 3** is a true and correct copy of a September 30, 2024 letter from counsel for Mr. Giuliani to counsel for Plaintiffs-Receiver concerning Mr. Giuliani's Citibank account ending in -1428 that purportedly contains social security payments, along with exhibits attached thereto showing bank

statements for the -1428 account from February 1, 2024 to August 31, 2024.

This letter was filed in the above-captioned action at ECF No. 51-8.

- d. Attached as **Exhibit 4** is a true and correct copy of a Statement of Receipts and Disbursements for Mr. Giuliani's Citibank accounts ending in -5812 and -1428 for the month of January 2024, which was filed in Mr. Giuliani' Bankruptcy Proceeding on February 23, 2024 as part of his January 2024 Monthly Operating Report. *See In re Giuliani*, 23-12055-shl, ECF No. 127-1 (Bankr. S.D.N.Y. Feb. 23, 2024).
- e. Attached as **Exhibit 5** are a true and correct copies of bank statements pertaining to Mr. Giuliani' Citibank Accounts ending in -5812, -9639, -1428 for the month of January 2024, which were filed in Mr. Giuliani's Bankruptcy proceeding on February 23, 2024 as part of his January 2024 Monthly Operating Report. *See In re Giuliani*, 23-12055-shl, ECF No. 127-2 (Bankr. S.D.N.Y. Feb. 23, 2024).
- f. Attached as **Exhibit 6** is a true and correct copy of a bank statement for Mr. Giuliani's Citibank accounts ending in -1428 and -5812, and his Citi Personal Wealth Management Account ending in -1677 for the month of August 2024, which was obtained through third-party discovery of Citibank in connection with the above-captioned action. Exhibit 6 shows a monthly \$4,717 deposit of Social Security payments in the account ending in -1428 and an end-month total of \$1,132,096.85 in Mr. Giuliani's IRA account ending in -1677.
- g. Attached as **Exhibit 7** is a true and correct copy of a bank statement for Mr. Giuliani's Citibank account ending in -1428 and -5812, and his Citi Personal

Wealth Management Account ending in -1677 for the month of September 2024, which was obtained through third-party discovery of Citibank in connection with the above-captioned action. Exhibit 7 shows a monthly \$4,717 deposit of Social Security payments in the account ending in -1428 and an end-month total of \$1,148,388.89 in Mr. Giuliani's IRA account ending in -1677.

- h. Attached as **Exhibit 8** is a true and correct copy of a November 11, 2024 letter from counsel for Mr. Giuliani to Citibank, N.A. requesting the release and transfer of funds held in Mr. Giuliani's Citibank account ending in -5812.
- i. Attached as **Exhibit 9** is a true and correct copy of the partially un-redacted declaration of Kenneth A. Caruso filed in both 24-cv-06563 (ECF No. 76) and 24-mc-00353 (ECF No. 104) on November 13, 2024, and for which the Court unsealed the first four sentence of Paragraph 4 on December 23, 2024. 24-cv-06563, ECF No. 156; 24-mc-00353, ECF No. 191.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on December 23, 2024.

s/ Aaron E. Nathan
Aaron E. Nathan
Willkie Farr & Gallagher LLP
787 Seventh Avenue
New York, New York 10019
Tel: (212) 728-8000
anathan@willkie.com